United Nations S/PV.6604

Security Council

Sixty-sixth year

Provisional

6604th meeting

Tuesday, 30 August 2011, 10 a.m.

New York

President:	Mr. Hardeep Singh Puri	(India)
Members:	Bosnia and Herzegovina	Mr. Barbalić
	Brazil	Mrs. Dunlop
	China	Mr. Li Baodong
	Colombia	Mr. Osorio
	France	Mr. Briens
	Gabon	Mr. Messone
	Germany	Mr. Wittig
	Lebanon	Mr. Salam
	Nigeria	Mr. Onowu
	Portugal	Mr. Cabral
	Russian Federation	Mr. Churkin
	South Africa	Mr. Sangqu
	United Kingdom of Great Britain and Northern Ireland	Sir Mark Lyall Grant
	United States of America	Mrs. DiCarlo

Agenda

Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2011/514)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-506.

11-48292 (E)

Please recycle

The meeting was called to order at 10.10 a.m.

Adoption of the agenda

The agenda was adopted.

Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2011/514)

The President: Under rule 37 of the Security Council's provisional rules of procedure, I invite the representative of Serbia to participate in this meeting. On behalf of the Council, I welcome His Excellency Mr. Vuk Jeremić, Minister for Foreign Affairs of Serbia.

In accordance with rule 39 of the Security Council's provisional rules of procedure, I invite Mr. Farid Zarif, Acting Special Representative of the Secretary-General and Head of the United Nations Interim Administration Mission in Kosovo, to participate in this meeting.

In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Enver Hoxhaj.

It is so decided.

The Security Council will now begin its consideration of the item on its agenda.

I wish to draw the attention of Council members to document S/2011/514, containing the report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo.

I shall now give the floor to Mr. Farid Zarif.

Mr. Zarif: The report before the Council (S/2011/514) details the activities of the United Nations Interim Administration Mission in Kosovo (UNMIK) from 16 April to 15 July 2011. As the Council is aware, in the days following the end of the reporting period — on 25 July, to be exact — an attempt by the Kosovo authorities to take control of Gates 1 and 31 on the administrative boundary line led former Under-Secretary-General for Peacekeeping Operations Alain Le Roy to brief a closed session of the Council on 28 July on the situation in northern Kosovo. While the situation has improved somewhat since then, it remains tense and unpredictable.

The report before the Council paints a hopeful picture of the dialogue between Pristina and Belgrade as of the end of the reporting period. However, the situation changed in the days immediately thereafter, beginning with the postponement of the sixth session of the Pristina-Belgrade dialogue due, inter alia, to continuing disagreements between the parties on the issue of Kosovo customs stamps. On 20 July, Pristina announced the imposition of what it described as "reciprocal measures" on Serbian goods, effectively putting them under an embargo.

On 25 July, with no advance warning or coordination with the international presences, the Kosovo authorities attempted to deploy members of the Kosovo Special Police Unit (ROSU) to the two northern boundary crossing points where Kosovo customs have not been able to operate. The Kosovo Prime Minister, Mr. Hashim Thaçi, explained that the purpose of such action was to establish the rule of law, including Kosovo customs controls at the northern gates, as well as to enforce the embargo on goods coming from Serbia.

I will briefly recap the events that followed. ROSU succeeded in reaching Gate 31, where one officer was wounded as a result of an improvised explosive device, but it was unable to deploy at Gate 1 due to roadblocks set up by northern Kosovo Serbs soon after the operation started. Due to the presence of those roadblocks, ROSU was unable either to move ahead or to retreat. The Kosovo Force (KFOR) responded by deploying eight of its 15 companies to northern Kosovo and, on 26 July, the KFOR Commander facilitated an agreement on the withdrawal of all ROSU units from northern Kosovo. A gunfight erupted during the ROSU movement that resulted in the death of a ROSU officer.

In a separate incident, the facilities at Gate 1 were torched by masked perpetrators. Both incidents are currently the subject of a priority criminal investigation that is being conducted by the European Union Rule of Law Mission in Kosovo (EULEX). The torching of Gate 1 led KFOR to declare both gates military protected zones, under the control of KFOR troops.

Following further mediation by the KFOR Commander, a common understanding emerged that, inter alia, KFOR will be responsible for the gates at least until 15 September. That understanding is intended to manage the situation until Belgrade and Pristina resume the European Union-facilitated dialogue in Brussels, currently scheduled for 2 September.

It is hoped that, when the dialogue resumes, the parties will resolve their long-standing commercial dispute and find a mutually agreeable way forward. In the meantime, EULEX has increased police patrols in northern Kosovo, especially in multi-ethnic areas, and maintains a strong presence at the Mitrovicë/Mitrovica District Court, which remains a symbol of discord and contention.

Although the situation was contained and further loss of life prevented, we should note that the events that took place in northern Kosovo last month were the most serious security incidents since the violence in 2008, which claimed the life of an international police officer and resulted in scores of injuries. They serve as a stark reminder that the issues underlying such incidents remain unresolved and constitute a serious threat to Kosovo's peace and stability. It remains essential, therefore, that all sides refrain from any unilateral action that could escalate existing tensions.

We must all work together to avoid any further deterioration of the situation and allow progress to be made through dialogue, as expected of responsible and trustworthy interlocutors. The leadership in both Pristina and Belgrade has a responsibility to set a public example and to demonstrate, in practical terms, their confidence in the dialogue as a means of resolving disputes, as opposed to unilateral action.

While tensions in the North, thankfully, did not spill over into the rest of Kosovo, we nevertheless saw an increase in cases of intimidation of Kosovo Serbs and attacks on their property in communities south of the Ibër/Ibar River. We are of the belief that the recent troubles must be a wake-up call to all that rebuilding trust and promoting inter-community cooperation and understanding cannot be further postponed. During the crisis, the language and tone of the messages originating both from those speaking for Pristina and from those speaking on behalf of Belgrade were too often messages of domination and division, and too seldom of cooperation and inclusion. This kind of public discourse only exacerbates the deep-seated mistrust and animosity that still exist between the majority population and the Kosovo Serb minority, particularly in the North. There is a pressing need for leaders on both sides to speak the language of peaceful coexistence and reconciliation and to accompany their words with concrete actions. UNMIK has been conveying this message clearly and widely.

Fractured inter-community relations seriously risk undermining the considerable investments made by the international community towards advancing Kosovo's overall institutional, economic and social development. UNMIK, as well as United Nations funds, agencies and programmes, which we refer to as the "United Nations Kosovo team", and the Organization for Security and Cooperation in Europe are taking concrete steps to increase reconciliation efforts. Our staff in northern Kosovo are working daily with the communities to clarify misunderstandings, allay anxieties, and mediate, as necessary, including between the communities and other members of the international community. We also continue to liaise with the political leadership in both Pristina and Belgrade with a view to maintaining the confidence of all sides.

The United Nations Kosovo team's current common plan is focused on the themes of inclusion, participation and accountability, takes advantage of the United Nations Kosovo team's quality as a neutral partner, and works with Government structures as well as civil society, both north and south of the Ibër/Ibar River. In this regard, I wish to note that the United Nations Kosovo team has suffered a decrease in its funding of approximately 40 per cent. At the same time, interventions by the major donors do not focus on either conflict prevention or reconciliation. Consequently, I would appeal to the international community to continue to support the work the United Nations Kosovo team is doing to rebuild trust and foster reconciliation.

Before moving on to other issues, I wish to highlight another matter that concerns northern Kosovo, and which is threatening the livelihood of some 3,500 employees and their families and risking further damage to the relationship between the Kosovo authorities and the Kosovo Serb community in the North.

UNMIK has learned that the Kosovo Tax Administration has seized bank accounts belonging to the socially owned enterprise Trepça, a mining company that is the single largest employer in northern Kosovo. The reason alleged, but entirely unsubstantiated by the Tax Administration, is that there are tax liabilities owed by Trepça. Whatever the reason, however, the action by the Tax Administration is in clear violation of applicable laws and procedures. Consequently, UNMIK has addressed the relevant court, requesting an immediate reversal of this seizure of bank accounts and the return of all monies seized.

We are also concerned that the effects of this action could be perceived by the population of northern Kosovo as a deliberate attempt to target their well-being at a time when it is imperative that the Kosovo authorities clearly and credibly convey their stated concern for the welfare of all those who inhabit the territory of Kosovo — North and South.

A loud and clear expression of that concern may also allow us to see greater progress in the area of returns, which, as reported by the Secretary-General, remains very slow. According to figures released by the Office of the United Nations High Commissioner for Refugees, the total number of voluntary returns to Kosovo between April and July was 333, of whom all but eight are members of minority communities. As we have repeatedly reported, returns are impeded both by the lack of economic prospects for returnees and by the lack of reconciliation, on which the issue of the missing persons bears heavily.

Today, 30 August, marks the International Day of the Disappeared. Regrettably, during the reporting period there was no significant progress to report in the clarification of the fates of local missing persons. The number of those still missing from the Kosovo conflict and its immediate aftermath still stands at over 1,800. I therefore renew the call on all those who can help to clarify the fates of the missing to pass on relevant information to the International Committee of the Red Cross so that the surviving family members can learn about the fates of their loved ones and achieve closure.

I would like to update the Council on two issues. The first is UNMIK's facilitation of external relations, starting with the Central European Free Trade Agreement (CEFTA). As I mentioned at the outset, on 20 July the Kosovo authorities imposed an embargo on shipments of goods bearing stamps of the Serbian tax and customs administration. While Belgrade has initiated a dispute resolution procedure to address the issue under CEFTA, a consensus has been facilitated between Belgrade and Pristina that they will deal with the matter in the next dialogue session. In consultation with Belgrade, Pristina and all relevant stakeholders, UNMIK is ensuring coordination between the dialogue process and the CEFTA procedure. The common, acknowledged goal is a swift and successful resolution of the issue.

While the issue of UNMIK's facilitation of Kosovo's external relations remains a delicate issue for Pristina, we have noted a more pragmatic approach to the matter by the Kosovo authorities and, in this context, we particularly welcome Pristina's decision to resume participation in meetings of the Sarajevo-based Regional Cooperation Council.

Finally, I wish to update the Council on the steps taken by EULEX to investigate the allegations contained in Council of Europe Special Rapporteur Marty's report on inhuman treatment of people and illicit trafficking in human organs in Kosovo. EULEX has informed us that the members of the special investigative task force that will conduct an investigation into the issue have been recruited, that facilities and equipment in Brussels have been secured, and that the task force is expected to begin its work in September.

In closing, on behalf of all UNMIK staff, I wish to thank the Council for its continued support and to reiterate our assurance that we will continue to implement the mandate with which it have entrusted us.

The President: I thank Mr. Zarif for his briefing.

I now give the floor to His Excellency Mr. Vuk Jeremić, Minister for Foreign Affairs of Serbia.

Mr. Jeremić (Serbia): I thank you, Sir, for convening this meeting of the Security Council on the United Nations Interim Administration Mission in Kosovo (UNMIK), pursuant to resolution 1244 (1999).

At the outset, on behalf of the Republic of Serbia I would like to offer my deepest condolences to all those affected by Friday's terrorist attack on United Nations House in the Nigerian capital of Abuja. We share the revulsion and condemnation expressed by the Secretary-General and other Member States. Serbia

will continue to play an active role in global efforts to counter the scourge of terrorism in all its forms.

I thank the Acting Special Representative of the Secretary-General for his remarks, and gratefully acknowledge the unequivocal statement in the report (S/2011/514) that UNMIK's mission priorities remain unchanged. Serbia looks forward to the swift appointment of a new Special Representative. We will continue to be actively engaged in the consultations to produce an acceptable nomination. This will help ensure that UNMIK remains an indispensable pillar of peace and stability in Kosovo.

I would like to once again reaffirm my Government's position on Pristina's attempt at unilateral secession from Serbia. We do not and we shall not recognize it, explicitly or implicitly. This is mandated by the democratic will of our people and enshrined in our Constitution.

A substantial majority of United Nations Member States — and of those seated in the Security Council — continues to respect Serbia's sovereignty and territorial integrity, in accordance with the basic principles of the United Nations Charter and the Helsinki Final Act. On behalf of Serbia, I would like to reiterate our deep gratitude for their support and solidarity in the face of tremendous pressure. We urge them to maintain their principled stance, thus ensuring that unilateral moves to impose outcomes on ethnic and territorial disputes are not legitimized, and thereby preventing Kosovo's unilateral declaration of independence (UDI) from becoming a dangerous and destabilizing precedent for the world.

A little over a month ago, the situation in our region suddenly became much less secure, stable and predictable. This was the direct consequence of the calculated decision of the ethnic Albanian secessionist leadership to order an unprovoked armed incursion into northern Kosovo as part of a sinister plan to forcibly impose an illegitimate and unquestionably unwanted regime on the residents of that part of the province. I urge the Security Council to send a clear message to the perpetrators that their unilateralism is totally unacceptable.

The crisis began on Monday 25 July, when Pristina's special operations militia, the so-called Regional Operational Support Units (ROSU), was mobilized and equipped with full riot gear. Dozens of armoured personnel carriers transported hundreds of heavily armed men across the Ibar River. This blatantly violated the long-standing agreement between Pristina and the European Union Rule of Law Mission (EULEX) that ROSU is not to be deployed in the North without the latter's approval. The unsanctioned act of sending ethnic Albanian paramilitaries from southern Kosovo was perceived by the majority population of northern Kosovo as an attempt to occupy the territory.

Serbia's reaction to the ROSU incursion was swift but measured. Within hours, my Government sent an official delegation to northern Kosovo to help ease tensions. They began negotiations with the Kosovo Force (KFOR) about restoring stability in the province. By the morning of 26 July, the KFOR Commander, Major General Erhard Bühler of the German Army, had secured what we believed was an agreement with Pristina for ROSU to withdraw from northern Kosovo. After an initial pullback, however, some of the paramilitaries turned around and started heading back. This resulted in skirmishes with local Serbs, leading to a number of casualties, including one fatality. Later that day, the ROSU militants began to leave northern Kosovo for good. At the time, it appeared that calm and the status quo ante would be quickly restored without further altercations.

On the morning of 27 July, however, attention was drawn to a highly regrettable incident at one of the checkpoints, where masked individuals set fire to the buildings there. The Serbian Government strongly and immediately condemned this act of extremism. We also indicated our readiness to work with relevant stakeholders to uncover the arsonists' identities and motives and to determine whose instructions they were following. A few days later, Belgrade and KFOR came to an agreement on how to keep ROSU and the so-called Kosovo Customs out of northern Kosovo. On 3 August, KFOR headquarters issued an official communiqué outlining the parameters of the interim agreement.

Ensuring peace and security in Kosovo is the responsibility of the Security Council, as per resolution 1244 (1999). To understand what happened and to determine who is responsible for the dramatic drop in stability throughout the territory, we asked to address the Council as events continued to escalate. An emergency meeting did in fact take place; regrettably, our voice was not allowed to be heard on that day. From the outset of this crisis, our position has remained the same, as I made clear in my letter to the

Secretary-General, the text of which has been designated an official document of the Council (S/2011/482). I repeat it today — the status quo ante must be reinstated. Those who destabilized northern Kosovo through the actions of ROSU must be brought to account. Whoever gave the order to cross the Ibar River violated an agreement with EULEX and must suffer the consequences.

Today, in this Council meeting, we respectfully ask for answers to some very pointed questions. Who ordered the unilateral action of the ROSU militants on 25 July? Did anyone from the international community know that the operation was about to be put into effect? Why did EULEX disappear from northern Kosovo in the wake of the ROSU incursion, leaving Serbs with no international police protection whatsoever? Why did EULEX not exercise its broad executive power — clearly defined in the relevant European Union (EU) joint action — to reverse the unilateral decision of Pristina as soon as it had begun? Should attempts to create a new reality on the ground through the use of force be allowed to stand, especially when dialogue between the parties was producing results? What if Serbs had been the unilateralists, instead of ethnic Albanians?

25 July was not the first time that Pristina has purposely created instability. We have seen this scenario before — a provocation followed by violence and, finally, an attempt to blame the victim. Last summer, for instance, an emergency meeting of the Council was held in response to a forcible attempt to establish a so-called Kosovo Government office in the Serbian town of North Mitrovica.

Time and again, the international community has unfortunately failed to confront Pristina's unilateralism. Consider the March 2004 pogrom that resulted in the destruction of 35 Orthodox churches and monasteries in a three-day orchestrated campaign of cultural cleansing. Instead of making sure that the guilty were brought to justice, the international community abandoned its standards-before-status approach. The brutal attack on the foundation of our national and religious identity was de facto rewarded, and the unilateral declaration of independence was the result. Pristina got away with it back in 2004, and had few reasons to believe it would not do so again on 25 July.

Such behaviour cannot possibly contribute to security in the Balkans and must be rejected and condemned in the clearest possible terms. Silence today would be interpreted in Pristina as acquiescence, dramatically increasing the likelihood of further unilateral actions in the North, such as attempting to occupy the Valac electricity substation or the North Mitrovica courthouse.

Several dangerous misconceptions have circulated publicly over the past month or so. The record must be set straight. One erroneous belief is that the round of talks between Belgrade and Pristina that was scheduled for 20 July was postponed by Serbia. This is simply incorrect. We can bear no responsibility for the last-minute decision made by the dialogue facilitator to impose a hiatus on the process, which is thankfully scheduled to resume in a few days' time.

A second misconception involves the misleading term "parallel structures" to designate the Serbian institutions in North Kosovo. Not only are they legitimized by the fact that the overwhelming majority of the population supports them, but in the North, no alternative that passes the test of democracy exists. They are the only ones that can function without constant armed protection. The truly parallel structures that operate in the territory are those created on the basis of UDI and the so-called Constitution of the Republic of Kosovo, a document that has never been approved by UNMIK or this Council.

Finally, I should like to address the basis upon which KFOR and EULEX operate in Kosovo. The only accepted standard — both within NATO and the EU, as well as in this Council — is resolution 1244 (1999) and the status-neutral framework of the United Nations. With regard to KFOR, I refer to paragraphs 5, 6, 7, 9 and 19 of the resolution, as well as to point 3 in annex 1 and paragraphs 3 and 4 of annex 2. I also refer to paragraph 5 of NATO's 2010 Lisbon Summit Declaration, which reads, in part: "KFOR remains in Kosovo on the basis of United Nations Security Council resolution 1244."

With regard to EULEX, I refer to paragraph 50 of the Secretary-General's November 2008 report, which was welcomed by the Council in a presidential statement (S/PRST/2008/44). It reads:

> "EULEX will fully respect Security Council resolution 1244 (1999) and operate under the overall authority and within the status-neutral

framework of the United Nations." (*S/2008/692, para. 50*)

I also underline the fact that the EU's own joint action establishing EULEX begins with a direct reference to paragraph 19 of resolution 1244 (1999).

I now turn to the current situation in Kosovo, separate from the developments that I just addressed. The Secretary-General's report underscores a number of disturbing developments concerning the Serbian community in the province. It says:

> "Criminal incidents affecting minority communities nearly doubled during the past three months compared to the same period the previous year" (*S/2011/514, para. 31*).

It also refers to figures from the Office of the United Nations High Commissioner for Refugees that identify a nearly record-low number of Kosovo Serb returnees: 95. That is less than half the number of those who came back during the comparable period last year. That is a deeply worrisome trend.

Unfortunately, the report underemphasizes several alarming incidents that contributed to the overall escalation of fear and uncertainty among Kosovo Serbs. For instance, the report states that some Serbian religious sites and Orthodox graveyards were damaged and focuses on attacks by ethnic Albanian extremists on two medieval holy sites — one against the monastery of Zočište, near the ethnic Serb ghetto of Velika Hoča, the other against the church of Kyriake in the centre of the ancient Serbian capital of Prizren.

However, it fails to mention the most atrocious example of this type of hate crime, despite the fact that the Kosovo Mission of the Organization for Security and Cooperation in Europe reported it to UNMIK at the beginning of May and again at the beginning of June. According to the Mission, the thirteenth-century Church of St. John the Baptist in village of Samodreza has been "frequently used as a toilet and a waste disposal site by the pupils from the nearby [Kosovo Albanian] elementary school for more than a decade." Earlier this year, measures were finally taken to protect the shrine, including the installation of metal doors at its entrance. During the reporting period, unfortunately, the doors were taken down, and the church again began to be frequently desecrated. Let me underline how important this holy site is for the Serbian people, as it was built on the foundations of the church in which the martyrs of the Battle of Kosovo took communion in 1389, before they went to face the Ottoman invaders.

The overall atmosphere during the reporting period must be characterized as deteriorating. This has been the case for some time now, for the roots of democracy have failed to take hold in the province. The United Nations Development Programme's most recent democratization index for Kosovo concludes that "democratic processes in Kosovo do not fulfil the standards". That is consistent with the results of Freedom House's 2011 *Nations in Transit* report, published in June. It concluded that Kosovo's overall democracy score declined more than any other in the European region, especially in the areas of electoral process, independent media, judicial framework and national democratic governance. Also during the reporting period, Europol released its biannual *Organized Crime Threat Assessment*. It identified Kosovo as a major European organized crime hub and stated that ethnic Albanian groups "remain the most prominent in trafficking heroin to and within the EU".

On the economic front, consider the *Doing Business 2011* report jointly issued a few months ago by the World Bank and the International Finance Corporation. It compares business regulation in 183 economies around the world. Kosovo ranked overall last in Europe, slipping below its already dismal results for 2010. In addition, the Secretary-General's report indicates that Kosovo lost preferential trade treatment by the European Union, which means that products originating from the province are again subject to EU customs duties. The report also indicates that on 1 June, the International Monetary Fund (IMF) announced the interruption of the 18-month stand-by arrangement with Kosovo, which had violated its budgetary and fiscal commitments to the IMF. Pristina does not presently qualify to keep accessing IMF funds. According to the report, this means that a considerable amount of EU and World Bank funds will not materialize either, as they are linked to clear assurances on a sound macroeconomic framework.

On the political front, the murder trials of some of so-called Prime Minister Hashim Thaçi's close associates were beginning to reveal awkward connections between public figures and organized crime. Based in part on the sobering testimony of Nazim Bllaca, a confessed assassin and torturer for a quasi-official security service controlled by Hashim Thaçi, senior lieutenants such as Fahredin Gashi and

Hysni Rama, could be convicted of war crimes, as mentioned in annex 1 of the report.

In addition, a number of seemingly authentic, publicly available videos show Mr. Bllaca negotiating for contract killings with Azem Syla, a former commander in the Kosovo Liberation Army (KLA) and currently a deputy leader of Mr. Hashim Thaçi's political party. On the record, Mr. Bllaca has accused Hashim Thaçi of responsibility for 450 murders of political opponents and witnesses to war crimes. Mr. Bllaca claims he acquired this first-hand knowledge while working in the special unit for executions of Hashim Thaçi's security service. He has said that he reported directly to Azem Syla, identified by the Council of Europe as a leading organized crime figure in Kosovo, together with Fatmir Limaj. Limaj is a former minister in Hashim Thaçi's cabinet and a senior KLA official who stands indicted for corruption and war crimes by EULEX.

A key opposition leader and former KLA commander as well as former prime minister, Ramush Haradinaj, is being retried before The Hague Tribunal. The indictment alleges that Haradinaj committed crimes against humanity and violations of the laws or customs of war between March and September 1998. He is accused of directly participating in the murder of a number of ethnic Serbs, non-KLA ethnic Albanians and Roma civilians in order to exert control over territory. He is also accused of being subsequently involved in an orchestrated campaign of witness tampering.

For the third Council meeting in a row, I have taken up the serious allegations contained in a deeply disturbing report released close to 10 months ago — and overwhelmingly approved by the Council of Europe Parliamentary Assembly on 25 January — entitled "Inhuman treatment of people and illicit trafficking in human organs in Kosovo". I believe that it is our most solemn responsibility to come together in the service of justice and to see that it gets done through a comprehensive, independent investigation accountable to the whole world.

I believe we have no right to settle for anything less, for in each previous instance involving war crimes and crimes against humanity in the Balkans, whichever side the perpetrators belonged to and irrespective of their political roles, the Security Council has given a mandate to investigate. Serbia welcomes the EULEX contribution to uncovering what occurred inside Kosovo itself. But the harvesting and smuggling of organs of innocent Serbian civilians took place beyond that territory, as the relevant allegations appear to encompass various United Nations Member States in Europe, Asia and Africa. Only the kidnapping took place within the contours of the province. And as we all know, EULEX cannot operate at full capacity anywhere outside Kosovo.

However significant the contribution of what EULEX has called its task force might ultimately become, it is an unassailable fact that the EU's law and order mission in Kosovo currently has neither the mandate nor the temporal and territorial jurisdiction to carry out an investigation that would be comprehensive in scope. On its own, the way it is, it has no ability to ensure the cooperation of the world. Only a mechanism created by the Security Council can do that.

We do not expect the discussion on this topic to be concluded today. We are aware of the fact that consultations are ongoing, and we appreciate the efforts to reach a consensus in the Council on how to decisively address these monstrous contentions. We will continue to insist, however, that this body must take action so that the full truth concerning these unprecedented war crimes can be uncovered. Come what may, Serbia will not forsake its duty to make sure the victims' families receive the justice they deserve.

The chasm of discord between the stakeholders has been widened by Pristina's unprovoked unilateralism. Its actions have been all the more disappointing given the fact that we had believed the dialogue was taking place in an atmosphere of good faith, conducive to achieving compromise solutions to all outstanding issues.

We were making progress. In the past few months, agreements in principle were concluded on aspects of the civil registry and on academic diplomas issues, as well as on elements of freedom of movement, including Kosovo Serb license plates. Yet when Pristina felt it had hit the first bump in the road, it struck out, unilaterally, turning to the instruments of compulsion and violence.

My Government chose not to respond in kind. We believe the only way to build bridges across the divide is through dialogue. As one of the twentieth century's most respected moral authorities once exclaimed, we are tied together in a single garment of destiny, caught

in an inescapable network of mutuality. And whatever affects one directly, he said, affects the other just as much. This is the truth we live in.

Now is the time for each one of us to make a decision about how to move forward. Our guiding framework can be either the use of force, or dialogue. The former is the choice of despair, the latter of hope. One cannot have it both ways.

Unilateralism is incompatible with efforts to reach a mutually acceptable solution to the problem of Kosovo. Everyone must choose which road to take. No equivocation is possible. Serbia reiterates its strong preference for peace and will keep working unrelentingly in its pursuit, despite the terrible setback caused by Pristina's unilateralism. In the Balkans of the twenty-first century, the unsanctioned use of force should not produce an advantage for the party that resorted to it, for that would be tantamount to an encouragement to do it again.

I call on this Council to commit to ensuring that when we meet next time, the only changes to the reality on the ground are those that are the product of agreement between the parties to the dialogue. Serbia remains committed to the dialogue.

The President: I thank Minister Jeremić for his statement. I now give the floor to Mr. Enver Hoxhaj.

Mr. Hoxhaj: Allow me to start by thanking you, Mr. President, and the Council on behalf of the Government and the people of the Republic of Kosovo for your continuing interest in Kosovo.

For more than a decade, the Council has been meeting four times a year to follow developments in Kosovo. Before that, Kosovo was a subject of the Security Council's deliberations — at times, much more than four times a year — in the 1990s due to violence and war crimes committed by former Serbian Governments. There were some difficult sessions here, when there was little progress reported and no hope in sight for final peace in the Balkans.

I am glad that in the last three years we made significant progress, and recently we have been able to report good news. The situation has stabilized and the people of the region have become more concerned about the problems of economic transition and European integration than about scars of the old conflict.

The United Nations and the Security Council have contributed to our progress as well. I would like to use this opportunity to thank the previous Special Representative of the Secretary-General, Lamberto Zannier, for years of dedication to the people of Kosovo. We also welcome Mr. Farid Zarif, the new Acting Special Representative, to Kosovo. His long experience in the United Nations will be important as Kosovo seeks a new relationship with the United Nations.

Our strategic national interest is for Kosovo to become a member of the European Union and of the United Nations. This is the vision of most people from all ethnic communities in Kosovo, and this is the mission of our Government.

Today's meeting of the Council is dedicated to the events of the reporting period in Kosovo. Important processes unfolded in the last three months that may finally bring an end to the last remaining major Balkan challenge. That challenge is the relationship between Kosovo and Serbia, two of the last States to emerge from the drama of former Yugoslav wars that were started by Slobodan Milosevic and his regime.

This reporting period was one of highs and lows. Firstly, I am happy to report to you that there has been clear progress in the Republic of Kosovo in all fields of economic, social and political development. But at the same time, I must voice grave concern at the escalation of rhetoric and violent acts that are coming from Belgrade and its illegal structures in the north of the Republic of Kosovo. Belgrade finances, leads and controls these structures. These are the biggest challenges Kosovo faces at the present moment.

On the positive side, I would like to inform the Council that Kosovo today is a functional, multi-ethnic State with a diverse society and with the most stable political landscape in the Balkans. The new Government created after the elections last year under the leadership of Prime Minister Hashim Thaçi moved ahead with its programme and is committed to further improve the life of the people.

The President of Kosovo, Atifete Jahjaga, the first woman President in the Balkans, has reinforced her role as a non-partisan head of State and has performed her duties with distinction. The Assembly of the Republic of Kosovo, during this time, has focused on reforming the Constitution and the election law, which reflects the agreement between the

governmental and opposition parties. This is another proof of the political maturity of Kosovo.

The International Civilian Office led by Mr. Pieter Feith, which oversees the implementation of Ahtisaari Plan, has recently concluded that Kosovo has almost completely finished the entire process of building democratic, transparent and multi-ethnic institutions that serve all citizens. The Republic of Kosovo has invested €150 million in the last three years to implement the Ahtisaari Plan, including the creation of new municipalities and new mechanisms for protection of minorities. As a result, there has been a distinct drop of inter-ethnic incidents, while interaction between state and minority citizens has increased, in the last three months.

The economy has also benefited from the political stability. In August, International Monetary Fund mission to Kosovo projected strong growth in the gross domestic product of six per cent for 2011, with foreign direct and public investments reaching "fervent" levels. Kosovo also remains the least indebted country in the region. We have continued with substantive infrastructure investments this summer, with the new highway to the Adriatic coast that will also link Kosovo with Albania and Montenegro, as well as with Serbia.

There has been noted progress on the rule of law. This progress has happened due to close cooperation between the Government of the Republic of Kosovo and EULEX. We are pleased that the United Nations Mission in Kosovo has pointed out in the latest report that:

> "Kosovo police demonstrated improved professionalism by conducting a number of successful operations against arms smuggling, trafficking of human beings, corruption and money-laundering" (*S/2011/514, para. 30*).

The European perspective has begun to rapidly shape political discourse in the Republic of Kosovo. The visa liberalization process and obtaining a contractual relationship with the European Union remain the top priorities for Kosovo. The European Commission has noted significant progress on its two conditions for Kosovo for a visa liberalization dialogue: the readmission and reintegration processes. One of the principal conditions is integrated border management, so the Kosovo Government will continue to implement policies that will open European Union borders to visitors from Kosovo but close them to smugglers and criminals.

The Republic of Kosovo reports significant successes in foreign policy as well. The President, the Prime Minister, the new Deputy Prime Minister, Mr. Behxhet Pacolli, as well as other members of the Government and Parliament have had important visits and meetings in international forums.

Since my last report to the Council, the rate of recognition of Kosovo's independence by other nations has increased. This is a result of the new strategy of the Government of Kosovo. We take this opportunity to thank the Governments of Andorra, the Central African Republic, Niger, Guinea Konakry, Benin and Saint Lucia for having recognized the Republic of Kosovo in recent weeks. We also thank the Organization of Islamic Cooperation for making an open call in Astana in July on all its member States to recognize the Republic of Kosovo.

I would like to inform the Council that we have remained committed to increasing interaction and dialogue with the entire region. Kosovo has played an active part in the Regional Cooperation Council and the Central European Free Trade Agreement (CEFTA). This shows that Kosovo is indeed rapidly becoming a new and responsible member of the international community.

Our dedication to regional cooperation prompted the Government of Kosovo to reach its first agreements with Serbia in the ongoing technical dialogue. As members may recall, the General Assembly has welcomed the European Union's facilitation of the technical dialogue between Kosovo and Serbia. The aim of the dialogue is to improve the daily life of the people and regional cooperation, and to prepare both countries for a European future. The freedom of movement of people and of goods, and trade relations have been discussed in the five rounds of the dialogue. The two Governments reached their first agreements by which, for the first time since 1999, the Serbian Government has accepted the identity cards, license plates and school diplomas issued by the Government of Kosovo.

We were to meet one more time during the summer, but the Serbian delegation refused to take part in the meeting scheduled for the month of July. We had hoped to reach an agreement on the most important economic issue that has been troubling Kosovo —

Serbia's refusal to accept Kosovo customs stamps. These stamps are considered status-neutral by both the United Nations and the European Union. Kosovo was expected to import goods worth €500 million from Serbia in 2011, while Serbia flatly bans any goods from Kosovo. More importantly, Kosovo goods are not allowed to even transit through Serbia to other European markets. This situation has lasted for three and a half years. At the beginning of this year, we warned the Republic of Serbia that it was discriminating against our industries and farmers in direct violation of CEFTA accords and UNMIK legal opinion.

Serbia had accepted the principle that Kosovo was a single legal space when it agreed to resolution 1244 (1999) in July 1999. Unfortunately, the Government of Serbia instead began making orchestrated noises about the partition of Kosovo, with the Serb-majority northern municipalities going to Serbia. Both President Tadić and other senior officials in Serbia have frequently proposed the ethnic division of Kosovo.

I have to stress that such suggestions are very dangerous because they provide an opening for ethnic divisions within all units of the former Yugoslavia. This forced us, with great regret, to take measures of reciprocity against Serbian goods. This happened after over three years of economic hardship caused by the Serbian blockade against our exports. This also forced us — with no regret at all — to take control over our northern border crossings.

Let me be clear on this issue. We sent Kosovo Police forces to our northern borders neither to disturb citizens nor to attack them; we simply wanted to reinforce measures of reciprocity in trade when all attempts to negotiate the matter had failed. Our actions were a legitimate exercise of the authority of the Police. The authority for the Kosovo Police to operate in northern Kosovo was accepted by Serbia itself in 2002, under Special Representative of the Secretary-General Michael Steiner. The Kosovo Police in the North has always operated in accordance with resolution 1244 (1999), the Ahtisaari Plan and the Constitution of the Republic of Kosovo.

As many UNMIK, EULEX and Kosovo Force (KFOR) observers have reported, on 25 July Kosovo Police were conducting an operation in a professional manner. Road blocks were put in place by the illegal parallel structures and members of the Serbian Government. Unfortunately, Serbian Government members entered Kosovo illegally several times to make very inflammatory remarks.

What happened was, frankly, the biggest challenge we have seen to peace in the Balkans in many years. Serbian illegal structures used explosives, automatic weapons and snipers to shoot at Kosovo Police, EULEX police and KFOR. One Kosovo Police officer was killed by these extremists and criminals, who are financed by both Belgrade and smuggling activities. I repeat — the Kosovo Police did not use violence. It was the Serbian Government that committed acts of violence inside the territory of Kosovo.

It was thanks to KFOR and Commander Bühler that violence was stopped. He was able to broker a deal that made possible the implementation of the legitimate Kosovo Government's measures. We recall that this agreement with KFOR enables full control of the border posts, but at the same time parallel structures still frequently block the roads.

The United Nations, the European Union, CEFTA and even Serbia have all agreed previously that Kosovo is a single customs area. While Serbia and Kosovo can disagree on how to establish their mutual relationship, no one in this Chamber can disagree with the fact that Serbia has no legal right to finance and support its own armed, paramilitary, security, intelligence and other institutions in Kosovo. Over the past 12 years, the Government of Serbia has invested over €6 billion to maintain and control those illegal structures in Kosovo. This has to stop because it violates resolution 1244 (1999), the Ahtisaari agreement and international law. When these forces are used to attack Kosovo Police, EULEX police and KFOR troops, this is a grave attack upon the entire architecture of security established in the Balkans in 1999.

Some of the greatest problems reported in the Secretary-General report before us today have to do with the fact that Serbia not only insists on supporting criminal structures in Kosovo, but also is actively forbidding the integration of Kosovo Serbs.

On the basis of the Ahtisaari Plan, Kosovo Serbs enjoy a wide range of preferential treatment, positive discrimination and self-governance in certain sectors. Their integration across the country has happened and is a success story. Today, the majority of Serbs living

in Kosovo are integrated at the central and the local levels. That shows that Kosovo's multi-ethnic democracy is responsive to the needs of the citizens. Serb minority participation in the Government is strong and genuine. One deputy prime minister, three ministers, three deputy ministers and 12 Members of Parliament represent the strong interests of the Serb minority in Kosovo institutions.

Kosovo has proved that it can deliver to the minorities. The new municipalities, such as Graçanicë, Novobërdë, Ranillug, Partesh and Shtërpcë, have managed to become fully functional. That shows the full involvement of and economic benefits for the local Serb population. That has happened due to the strong commitment of local Serb politicians, led by Deputy Prime Minister Slobodan Petrović.

On the other hand, Zubin Potok, Leposavić and northern Mitrovica have never had proper and free elections. That is the only corner of Europe where criminal structures keep the local population hostage to extremist aims. That has to change. The situation has resulted in an area that exists outside the application of Kosovo law and is under the control of Serbian illegal structures. It has become a black hole, where criminals of all ethnicities can flourish and where there is no legal certainty for any citizen. It is a smugglers' paradise in all sectors of the economy, where criminals and smugglers profit and ordinary citizens live in very bad conditions.

We call on the Security Council not to tolerate efforts to challenge the legal order established after the adoption of resolution 1244 (1999). The Kosovo Government is committed to ensuring that the rule of law is implemented within all its territory. We shall not use force, nor do we need to; but we shall use our full determination.

Here, let me emphasize that Kosovo is and will be a free nation for all Kosovars, whether they be Albanian, Serb, Roma, Turk, Bosniak, Croat, Montenegrin or other. We do not want to impose any rule in the North other than the rule of law. For Serb political representatives to make the most of the very broad political affirmative rights under the Ahtisaari Plan is a matter of their choice. However, they should at least be allowed the freedom to choose, and the Ahtisaari Plan is the best framework for that. We will continue to support the Kosovo police, KFOR and EULEX in making sure that Kosovo makes more progress in the rule of law.

As we have said many times, Pristina is the party most interested in fully clarifying the allegations brought by Dick Marty. We are pleased that the investigation team is now well in place, and in that context we welcome the nomination of Mr. John Clint Williamson as the lead prosecutor for the EULEX special task force. Let me affirm that the Government of Kosovo will fully cooperate with EULEX as an independent arbiter of justice in the case. As I have noted in my intervention, Kosovo is a country of law, dedicated to justice for victims and punishment for criminals.

I have tried to be as brief as I can. I wish I could have been briefer. The world has many pressing needs, and other countries need the Council's immediate attention. Kosovo's challenges are great, but they also provide an important window of opportunity. Now that the status issue is behind us, one can see that dialogue between the two countries can become a generator of goodwill and good solutions.

We are happy to see that a coherent international effort to move away from the situation of a frozen conflict and a status quo is taking place. I repeat, status-quo, frozen conflict and partition are not acceptable at all. There is no return to the situation that existed before 25 July.

After 12 years, Serbia must dissolve parallel structures and should start coming to terms with the new independent nation as a neighbour and partner. The Kosovo Government will redouble efforts to provide democratic representation in all Kosovo, from the very grass-roots politics at the municipal level. Our institutions are open to all those who seek political change through institutional means, including Kosovo Serb politicians from the North.

I hope that the Security Council will recognize the progress in the Balkans and will support both sides engaging in a dialogue. That will confirm the most basic principles of rejection of violence and respect for the rule of law in the entire territory of the Republic of Kosovo.

The President: I thank Mr. Hoxhaj for his statement.

I now give the floor to members of the Council.

Mr. Osorio (Colombia) (*spoke in Spanish*): At the outset, allow me to welcome and thank Mr. Farid Zarif, Acting Special Representative of the Secretary-General, for his briefing and for the detailed report on the activities of the United Nations Interim Administration Mission in Kosovo (UNMIK). I also wish to welcome and commend the very interesting and sharp analyses and cases made by the Ministers for Foreign Affairs of Serbia and of Kosovo, Mr. Vuk Jeremić and Mr. Enver Hoxhaj.

For us, it is very important to note that the political crisis in Kosovo has been overcome and that the Government authorities now have the opportunity to concentrate on building and strengthening institutions.

The meetings between representatives of Pristina and Belgrade, about which we received information from both representatives, are very important. They are of crucial value to the processes of dialogue and of establishing specific areas, such as civil registry, freedom of movement, regulation of academic diplomas, movement of goods and all those issues that are on the agenda.

Unfortunately, the violent incidents in July mar and threaten that constructive dialogue and goodwill towards a peaceful understanding. We wish to renew our call for such outbreaks and such actions not to be tolerated and for the authorities to do their utmost to prevent them from reoccurring.

We wish to underscore the cooperation and monitoring work that UNMIK is developing at the technical level with the Ministry of Justice and the Ministry of Internal Affairs of Kosovo and the work with the Ministry of Justice of Serbia. We value their work to facilitate dialogue between the authorities of Serbia and States that have not recognized Kosovo and the Ministry of Justice. We regret that mutual legal assistance between the Ministries of Justice of Kosovo and of Serbia remains at an impasse.

We are greatly concerned that incomplete investigations, the inadequate implementation of protection measures, lack of cooperation between the police and prosecutors and a failure to prosecute offenders exacerbate impunity. Without a strong message from law enforcement mechanisms that violence will not be tolerated, perpetrators will continue to abuse, aware or confident that they will not be punished.

We take note of the recommendations contained in the report of the Secretary-General (S/2011/514), as they will help to strengthen the dialogue between Belgrade and Pristina. Sensitive issues with regard to North Kosovo can be resolved only by peaceful means, on the basis of consultations with all communities on the ground, and not through unilateral actions. Joint work must be undertaken to prevent the deterioration of the situation, and we call forcefully for the outbreaks of violence and tensions in northern Kosovo to end. Violent unilateral actions are unacceptable because they only disrupt peaceful dialogue and the pursuit of lasting solutions.

We welcome the reiteration by the Kosovo authorities of their will to cooperate with the investigation into organ trafficking undertaken by Mr. Dick Marty, Special Rapporteur of the Council of Europe, and we would ask the European Union Rule of Law Mission in Kosovo to inject real momentum into the investigation work entrusted to it by the Task Force established to that end. The announced appointment of the new prosecutor is a step in the right direction, and we urge him to make meaningful progress in the investigation. If he does not, another alternative will have to be found.

Finally, it is regrettable that the Security Council has been unable to agree on a draft presidential statement with respect on a situation and debate as important as today's.

Mr. Briens (France): I thank Mr. Vuk Jeremić, Minister for Foreign Affairs of Serbia, and Mr. Enver Hoxhaj, Minister for Foreign Affairs of Kosovo, for joining us today. I also welcome the Acting Special Representative of the Secretary-General, Mr. Farid Zarif, and thank the Secretary-General for his report (S/2011/514).

I should like to make three points. Northern Kosovo experienced tensions and violence a few weeks, which was addressed in an emergency meeting of the Security Council. Tensions have abated, but such incidents remind us that the international community must remain very alert and of the importance of dialogue between the parties. In that respect, I welcome the activities of the Kosovo Force and the European Union Rule of Law Mission in Kosovo (EULEX) that helped to restore calm and the free movement of people through sensitive border crossings between Serbia and Kosovo. Hasty or unilateral actions

should be avoided while a common solution is sought through dialogue. There is no place for violence, which should be firmly condemned by the political authorities on both sides, who must take all measures necessary to maintain the calm.

Dialogue between Serbia and Kosovo in the context of the European Union has already borne fruit, which must now be implemented. The next meeting will take place in several days. We support this process and call on Serbia and Kosovo to return to the negotiating table in a constructive spirit. We hope that these discussions, in addition to improving the daily lives of the population, will strengthen trust between the parties and contribute to the European prospects of both countries, which must demonstrate a spirit of compromise and creativity.

Such dialogue requires a gradual increase of mutual trust. In this respect, we commend the deployment by the European Union of a task force of magistrates and investigators to look into allegations of trafficking in human organs set out in the report of the Parliamentary Assembly of the Council of Europe that was made public in 2010. The task force's activities will be based on the important work already undertaken by EULEX in the framework of a preliminary investigation that began on 27 January. The willingness of the Serbian and Albanian authorities of Kosovo to cooperate fully with EULEX should be stressed. We call on all States concerned to continue their cooperation with the Mission. The investigation should be undertaken in an atmosphere of calm and a spirit of dialogue, and not should not be exploited for ulterior motives.

The international presence remains a motor of stabilization. The European Union, the United Nations and NATO are implementing their respective mandates to move Kosovo towards sustainable stability and rule of law. France hails the work of Mr. Lamberto Zannier as Head of the United Nations Interim Administration Mission in Kosovo for some three years.

EULEX plays a crucial in helping the Kosovo authorities to fight corruption and organized crime, although it is the primary responsibility of Governments to adopt relevant policies. The European Union is also preparing to strengthen its presence with the appointment of a single representative who will act both as special representative of the European Union and as head of its Kosovo office, and will shortly assume his functions.

France stands with Kosovo and all States of the region in helping to move them towards European standards and European Union membership.

Mr. Wittig (Germany): I should like to join my colleagues in thanking Mr. Zarif for his comprehensive briefing. I also wish to take this opportunity to express our gratitude to former Special Representative of the Secretary-General Zannier for his important work in recent years.

As highlighted in the recent report of the Secretary-General (S/2011/514), the security situation in Kosovo has generally remained calm. We welcome the decrease in incidents of severe crime. However, we deplore the increase in low-level incidents that have affected minority communities, and we should not close our eyes to ongoing problems, including widespread organized crime. We also call on all authorities to ensure that the strongest possible measures are taken to ensure that no incidents affecting international personnel take place.

At its most recent consultations on Kosovo at the end of July, the Council discussed the latest incident in northern Kosovo. That incident clearly showed that issues related to the North must be a crucial element of the European Union-led dialogue between Belgrade and Pristina. We continue to hold the view that the independence and territorial integrity of Kosovo are not up for negotiation.

At the moment, the situation in the North remains generally calm. We call upon all parties to further respect and implement the provisional solution negotiated by the Commander of the Kosovo Force. All parties concerned have to fully cooperate with the international presences, including the European Union (EU) and the EU Rule of Law Mission in Kosovo (EULEX).

The way forward towards improving the security situation and alleviating tensions in the northern part of Kosovo is to focus on practical solutions to outstanding issues. We urge all sides to concentrate their efforts on resolving the underlying issues through the European Union-facilitated dialogue. The talks between Belgrade and Pristina need to be conducted with a focus on tangible issues and tangible results that improve the lives of people in Serbia, Kosovo and the region. As a

matter of urgency, this dialogue is the only way forward to solve the issues currently being negotiated, including the issue of customs and trade.

It is crucial that the commitment of both sides to facilitating freedom of movement, the preservation of culture and religious heritage, and the mutual acceptance of university and school diplomas be fully implemented. We also very much welcome the positive developments in terms of the rule of law. Germany sees the resumption of the sessions of the Working Group on Missing Persons as a positive development that needs our further support. It is crucial to reconstruction.

Furthermore, we welcome the progress made in recent months by EULEX in its full investigation of the allegations of despicable crimes committed against Serbian nationals during and after the end of the armed conflict in Kosovo. The task force has been successfully built up, and we are confident that it will fully accomplish its assignment. We welcome the appointment of John Clint Williamson, an experienced legal expert and former prosecutor in the International Criminal Tribunal for the former Yugoslavia, as lead prosecutor for the special investigative task force. The unreserved commitment made by the Kosovo authorities to cooperate with EULEX is a clear signal that the allegations made can be fully investigated.

Kosovo has also made significant progress in the reporting period. After successfully solving a series of political crises within the constitutional framework, the President, Government and Parliament of Kosovo have taken up their work in order to further ensure political stability and to meet the current economic and social challenges in the country.

We therefore welcome the fact that the number of countries recognizing Kosovo as an independent State has increased yet again and this month reached the threshold of 80 States. Those recognitions are a clear sign that the region has gained stability and that the international community is supportive of developments in Kosovo. We call on States that have not yet done so to recognize the Republic of Kosovo as a contribution to peace and stability in the Western Balkans.

Let me conclude by underlining that Germany will continue to pay great attention to developments in Kosovo. As emphasized by Chancellor Angela Merkel during her recent visit to Serbia and Kosovo, Germany will continue to promote those countries' joint and shared European future. Our objective is peace and stability in the region with a clear European perspective.

Mr. Barbalić (Bosnia and Herzegovina): On behalf of the delegation of Bosnia and Herzegovina, I would like to express our appreciation to the Secretary-General for his comprehensive report (S/2011/514). We also welcome the Acting Special Representative of the Secretary-General for Kosovo, Mr. Farid Zarif, and thank him for his briefing on recent developments. Our delegation will continue to fully support the work of the Special Representative and the staff of the United Nations Interim Administration Mission in Kosovo (UNMIK).

We welcome the participation in today's meeting of His Excellency Mr. Vuk Jeremić, Minister for Foreign Affairs of the Republic of Serbia, as well as of Mr. Enver Hoxhaj.

Bosnia and Herzegovina reiterates its appreciation for UNMIK's efforts to fulfil its mandate, including its support for the reconciliation process, its facilitation of constructive dialogue and regional cooperation and its focus on mediation between the communities, as well as its support for minority communities.

We remain convinced that sustained dialogue is indispensable to achieving a mutually acceptable solution to all outstanding issues in Kosovo. It is important that the positive development — the dialogue between Belgrade and Pristina facilitated by the European Union, in accordance with General Assembly resolution 64/298 — continues, in order to produce concrete results and solutions to the topics under discussion.

In that context, we welcome the agreements on freedom of movement, the civil registry and acceptance of university and school diplomas. Furthermore, in order to resolve longstanding issues affecting the day-to-day activities of the local population, it is essential that both sides remain committed to implementing the aforementioned agreements and to continuing dialogue on pending issues.

With regard to the rule of law, we reiterate our support for the activities of UNMIK, as well as of the European Union Rule of Law Mission in Kosovo (EULEX), operating within the status-neutral framework of the United Nations. We also support the

existing practice of cooperation and coordination between UNMIK, EULEX, the Organization for Security and Cooperation in Europe and NATO — the latter present through Kosovo Force troops — and we hope that this practice will continue.

Bosnia and Herzegovina's position, which is well known, is that the rule of law is crucial to stability and progress in the Balkans. In that regard, we would like to re-state our concerns regarding the allegations contained in the report of the Council of Europe's Special Rapporteur Dick Marty on the inhuman treatment of people and illicit trafficking in human organs in Kosovo.

Without a doubt, there is a need for a thorough, impartial and independent investigation into these serious allegations, with a strong witness-protection programme and the full cooperation of all relevant stakeholders. We welcome the recent formation of the EULEX task force, to be composed of international prosecutors and several international investigators specializing in war crime investigations. We call on EULEX to start working on those investigations immediately. We also welcome UNMIK's readiness to extend its full cooperation to any investigation that may take place.

We have taken note that the security situation in Kosovo during the reporting period has remained relatively calm, although tensions remain, mainly in northern Kosovo, where the situation continues to be sensitive and politically delicate, as the Secretary-General's report states. However, the most recent incidents — which were not covered by the report — remain a cause for concern for our delegation. In light of these developments, we would like to appeal to the parties to remain calm and act in a responsible manner, in order for peace to prevail.

In the context of improvement of inter-community dialogue and confidence-building among the parties, we believe in UNMIK's crucial role and welcome its efforts to decrease tensions, draw attention to common needs and create conditions conducive to sustainable returns. During the reporting period, UNMIK and the United Nations High Commissioner for Refugees facilitated several "go-and-see" and "go-and-inform" visits, which gave displaced persons the opportunity to visit their properties and make firsthand assessments of conditions in the receiving community. The number of voluntary returns remains low, despite the efforts of local and central authorities and the international community, due to socio-economic difficulties associated with the reintegration of returnees.

In conclusion, we would like to repeat our longstanding position that stability and security in Kosovo are crucial to achieving lasting peace and prosperity in our region. We consider that the international community should continue to play an important role in supporting the aspirations of the countries of the region to integration into European and Euro-Atlantic structures.

Finally, Bosnia and Herzegovina commends UNMIK, operating within the framework of Security Council resolution 1244 (1999), and its role in maintaining peace, security, stability, and respect for human rights in Kosovo.

Mr. Messone (Gabon) (*spoke in French*): My delegation has listened attentively to the briefing on the Secretary-General's report (S/2011/514) on the issue under discussion. We would like to thank the Secretary-General for the report, as well as Mr. Farid Zarif, his Acting Special Representative in Kosovo. We also wish to take this opportunity to thank and congratulate Mr. Lamberto Zannier for his excellent work during his tenure.

Like other delegations, we welcome the presence at his meeting of Mr. Vuk Jeremić, Minister for Foreign Affairs of Serbia, and of Mr. Enver Hoxhaj.

In examining the situation in Kosovo, we note some positive developments in the political dialogue between Belgrade and Pristina during the period covered by the report, and a security situation that is relatively calm but fragile, with an increase in tension towards the end of the period.

Before going into details, my delegation would like to recall the following points. Gabon underscores the need to respect international law and believes in the importance of dialogue and negotiations between the parties to reach a lasting solution. We hope that the parties will abstain from unilateral actions outside the framework of negotiations to which they have committed, which action could create tensions. In this regard, we naturally condemn all unilateral acts of violence committed by either party.

It is because of these factors that my country continues to support the efforts of the United Nations

Interim Administration Mission in Kosovo (UNMIK) to implement the mandates of resolution 1244 (1999) and welcomes its cooperation on the ground, especially with the European Union Rule of Law Mission, the Organization for Security and Cooperation in Europe and KFOR, aimed at building on efforts to maintain peace and stability in the region.

We therefore welcome the first political steps forward in Kosovo, in reaching agreements on freedom of movement, civil registry and university diplomas. We encourage both parties to wholeheartedly set about putting them into practice.

We are also pleased that the Working Group on Missing Persons has resumed meetings after a year's hiatus because of internal political events in Kosovo. That humanitarian issue is crucial to reconciliation in Kosovo and in the region. Like other delegations, we of course welcome the establishment of the task force on missing persons and trafficking in organs, and we hope that task force will carry out its investigation in a transparent and independent manner.

Direct negotiations between Belgrade and Pristina on living standards in Kosovo and on technical peace and stability issues in the Balkans — which had resumed last March in Brussels under the auspices of the European Union — have sadly come to another halt because of resurgent tensions in northern Kosovo. Those negotiations must resume, and the issue of northern Kosovo will obviously be a high priority.

In our last intervention in the Council on this topic, my delegation, like others, expressed its regret at renewed tensions. Today we once again call on all parties to refrain from provocative acts that could aggravate tensions and to adopt a constructive and moderate attitude to create an atmosphere conducive to dialogue. The distorting effect of a commercial embargo on the products of each neighbouring region in conflict is counterproductive and even sets the negotiations back.

To conclude, in the interest of a peaceful resolution of the question of Kosovo, Gabon calls on all parties to be calm and to engage in a good faith in direct dialogue, without which issues of common interest will remain unresolved. My delegation hopes to see the negotiations renewed under the auspices of the European Union and the United Nations, and success in the next round of talks due in September.

Mr. Churkin (Russian Federation) (*spoke in Russian*): We are grateful to Mr. Zarif for presenting the Secretary-General's report on the activities of the United Nations Interim Administration Mission in Kosovo (UNMIK) (S/2011/514). We welcome the participation in this meeting of the Minister for Foreign Affairs of Serbia, Mr. Vuk Jeremić, and we share his views. We listened with attention to the words of Mr. Hoxhaj.

Russia's position of not recognizing the unilateral declaration of independence of Kosovo has not changed. We support the territorial integrity and sovereignty of the Republic of Serbia. Resolution 1244 (1999) retains its full force and remains obligatory for all international legal approaches for a settlement in Kosovo and for ensuring security in the region. Moreover, the Security Council should continue to play the leadership role in resolving tensions in Kosovo.

We are deeply concerned about the swift deterioration of the situation in the northern region. The provocative acts on the part of the Kosovo authorities — especially the taking by force on 25 July of the border crossing points Brnjak and Jarinje on the Serbian border — destabilize an already tenuous situation and only further enflame tensions. We agree with Mr. Jeremić that the situation in northern Kosovo should return to its pre-25 July status. Otherwise the outcome will be to reward the unilateral use of force. The international presence, in particular the European Union Rule of Law Mission in Kosovo (EULEX) and the International Security Force in Kosovo (KFOR), should increase their efforts to restrain such dangerous and destructive ambitions.

The questions raised by Mr. Jeremić on the events of 25 July deserve a response. We consider the use of KFOR helicopters in July for the transfer of Kosovo police to be a flagrant violation of the neutral status of the Force in Kosovo. In this context, we are concerned about the declaration of the border crossings of Jarinje and Brnjak as military protected zones where KFOR has been given authorization to use force. We call on the Force Commander to act responsibly and refrain from extreme measures that favour one side. The United Nations Mission should maintain close contact with KFOR and ensure that it fully complies with resolution 1244 (1999).

In our view, a compromise is needed on the temporary plan for controlling the administrative

borders in the north of the Serbian autonomous region of Kosovo. It is important that such an agreement reflect the interests of those people for whom it is drafted — in this case the residents of the region.

We have a few words to say about the European Union Rule of Law Mission in Kosovo. There have been instances of a blatant hands-off policy regarding the authorities in Pristina. That contradicts the neutral status of that Mission and undermines its authority. EULEX must strictly comply with resolution 1244 (1999), which means behaving with neutrality, taking into account the interests of both sides, under the leadership of UNMIK. That is not merely our wishes in the matter; it is what was defined in 2008 by the Secretary-General as one of the conditions for the deployment of EULEX in the area. That was endorsed by all members of the Council.

A sustainable solution to the Kosovo situation is possible only through negotiations among interested sides on the basis of the provisions of resolution 1244 (1999). In accordance with its Security Council mandate, UNMIK should play an important role in the dialogue between Belgrade and Pristina.

In reality, with all respect to Mr. Zarif, we must note a genuine lack of leadership at UNMIK. The Mission is ignored by other international presences, and it has failed to respond to recent events in the northern region. The time has come to appoint a new Special Representative of the Secretary-General for Kosovo to head UNMIK. We do not understand why the Secretariat is delaying in resolving this crucial issue. Action should be taken immediately.

Moreover, the Secretariat said that a reduction in the financing of UNMIK would not undermine the Mission's activities, but today, taking into account Mr. Zarif's presentation, it is clear that that is not in fact the case. The situation must be rectified.

We insist on a full and objective investigation of crimes in Kosovo, including illegal trafficking in human organs revealed in the report of the Parliamentary Assembly of the Council of Europe by Dick Marty. We believe that the establishment of a special group by EULEX to conduct an investigation has been needlessly delayed. The appointment of the American specialist at its head underscores yet again that investigations of this kind should be international. In that vein, we reiterate our support for the proposal by Serbia for the Security Council to create a special international investigative mechanism, answering to the Council. That would guarantee its reliability and political impartiality.

We call attention to the inadmissibility of Kosovo leaders participating — outside the UNMIK format — in international forums, including the United Nations and its specialized bodies. We do not accept attempts to legitimize Kosovo by making it a member of international structures.

The situation regarding the return to Kosovo of internally displaced persons continues to be unsatisfactory. Unfortunately there is an ongoing neglect of multiple cases in which Kosovo Serbs are forced to sell their property and leave the region. That bears witness to the absence of any growing inter-ethnic tolerance in Kosovo. On the contrary, the trend is actually one of regression. The territories of large Serbian enclaves are gradually shrinking and will finally disappear.

One of the Council's important achievements in Kosovo is the fact that after 1999 we succeeded in preventing a full-fledged bloodbath in the region. That was to a great extent made possible by a shared understanding of the inadmissibility of the use of force to resolve disagreements. The tragic events of the end of July in northern Kosovo clearly demonstrated that the situation in the region is far from being stable and continues to be explosive.

In these conditions, the Russian delegation proposed for consideration by members of the Council a draft presidential statement that was intended to provide a clear and unequivocal message to all sides on the need to refrain from unilateral actions and the use of force and to employ dialogue to overcome differences in opinion. Taking into account the known differences in opinion on the Council regarding the issue of Kosovo, we drafted a document that was utterly balanced. However, given the obstructive position taken by the quintet in the Council, that draft has been blocked. We express our regret and disappointment at that.

Mr. Cabral (Portugal): I wish to thank the Acting Special Representative of the Secretary-General, Mr. Farid Zarif, for his briefing. I would like to welcome the Foreign Minister of Serbia, Mr. Vuk Jeremić, and the Foreign Minister of Kosovo, Mr. Enver Hoxhaj, and to thank them for their interventions. I also wish to express my appreciation to

Mr. Lamberto Zannier for his work in Kosovo, and I wish him well in his new office.

I would like to focus my statement on some specific issues. First is the dialogue between Belgrade and Pristina, which has already produced some important results in the fields of freedom of movement, civil registry and academic diplomas. It continues to be the most important setting for achieving a mutually agreed solution for the outstanding issues.

Under the auspices of, and at the incentive of, the European Union, the parties are sitting at the same table discussing issues with an impact on the daily lives of people in Serbia and Kosovo. That is a process that can go forward only if there is good faith, good will and a spirit of compromise on both sides. I believe we would be taking a significant step backwards if this process came to a halt because the hope of a mutually agreed settlement had been lost. If we are to expect positive developments, if the negotiations process is to move forward in a meaningful way, concessions are needed from both sides. I will return to that point further on.

Now I wish to bring up some of the issues referred to in the report of the European Union Rule of Law Mission in Kosovo (EULEX). The continued efforts by this Mission to uphold the rule of law and law enforcement in Kosovo should be duly appreciated. High-profile cases continue to take a prominent place in the report on EULEX activity. Allow me to refer once more to the investigation of the allegations made regarding the trafficking in human organs that may amount to war crimes in Kosovo, with ramifications in other countries.

A considerable amount of new staff and resources have been assigned to the EULEX special task force to investigate the allegations in Senator Dick Marty's report, which is now in the last stages of preparation. We welcome the fact that the mission has successfully established jurisdiction regarding certain crimes committed outside the borders of Kosovo. That is an important development in the endeavour to uncover the whole truth behind the allegations, which must remain our ultimate goal. It is important that the members of this Council are kept fully updated on the progress of the EULEX investigations concerning the Senator's allegations.

The current situation in Kosovo offers ample opportunity for attempts to force a change of circumstances on the ground, hoping that they may become permanent. Such actions or initiatives by whatever party are unacceptable. It is up to us to make sure that nothing is to be gained by straying from the diplomatic track — as narrow and winding as it may look.

In this framework, the work of the international forces and bodies and the reinforcement of their capacities are to be welcomed. In that regard, I wish to commend the operational and tactical skills shown by KFOR during the events we are discussing.

EULEX is also playing a key role in several fundamental aspects of the normalization of life in Kosovo. We commend its work and its commitment to that difficult mission. We welcome the considerable drop in violent crime described in the report of the Secretary-General (S/2011/514), as well as the improved professionalism of the Kosovo police.

On the other hand, we are concerned about the sharp increase in criminal incidents affecting minority communities in the past three months. Guaranteeing the physical safety of minorities is one of the cornerstones of the rule of law in any modern polity. Also important is the fight against domestic violence — a social phenomenon that law enforcement agencies must not leave unpunished and should not tolerate.

It is vital for the parties to persevere in and intensify their diplomatic efforts, in good faith and in transparency. That is not only possible; it is an imperative. They all have our full support in that endeavour.

I believe we must rely on the professionalism and commitment of the United Nations Interim Administration Mission in Kosovo, as well as of KFOR and EULEX and other international partners on the ground, in continuing to carry out their mandates, as they have done so far. My final words are words of appreciation for and encouragement of their work.

Sir Mark Lyall Grant (United Kingdom): Allow me to start by thanking Mr. Farid Zarif for his briefing today. I wish him well in his role as Acting Special Representative of the Secretary-General. I also wish to thank his predecessor, Mr. Lamberto Zannier, for his effective work as Special Representative.

I wish to welcome today Mr. Enver Hoxhaj, Foreign Minister of Kosovo, and Mr. Vuk Jeremić,

Foreign Minister of Serbia, and to thank them for their statements.

We have witnessed troubled times in Kosovo over the past month. The United Kingdom was very seriously concerned by the outbreaks of violence there, which resulted in the death of one Kosovo policeman and injuries to many other Kosovo citizens. We appreciate the role played by KFOR and the European Union Rule of Law Mission in Kosovo (EULEX) in calming the situation and in facilitating agreements with Kosovo and Serbia to end the tense standoff. We urge all parties to continue to coordinate with these and other international actors in Kosovo.

We welcome the fact that there has been no further violence, and we urge both Kosovo and Serbia to continue to engage constructively. As Mr. Zarif said, rhetoric on both sides needs to be constructive, not confrontational.

Tensions in the north need to be calmed so that people who live there do not suffer. The report of the Secretary-General (S/2011/514) notes that in April the Kosovo authorities conducted a population and housing census throughout Kosovo, with the exception of northern Kosovo. It is regrettable that the so-called parallel structures in the north prevented the United Nations Office for Project Services — UNOPS — from conducting the census there. Important data needed to provide social, economic and health services to the people in northern Kosovo will be distorted.

That, together with the outbreak of violence in July, demonstrates how vulnerable the situation is in northern Kosovo. It also underlines more than ever the importance of Kosovo-Serbian relations being put on a more stable track. That is why we actively and fully support the EU-facilitated dialogue. That dialogue provides a unique opportunity to build sustainable and practical cooperation between Kosovo and Serbia and to move both countries, in a more stable fashion, towards a secure and prosperous future in the European Union.

The Secretary-General's report rightly highlights the progress made during the fifth round of the dialogue. Agreements were reached that will, if properly implemented, improve the lives of people in both Kosovo and Serbia. I urge Ministers Hoxhaj and Jeremić not to lose sight of that progress, or of our shared goals. The Governments of Kosovo and Serbia should be ready to engage constructively at the next meeting of the dialogue, scheduled to start this Friday.

We are encouraged by the resumption of the Working Group on Missing Persons, highlighted in the Secretary-General's report. A continuing commitment to this process on both sides is fundamental for providing closure for those families who lost loved ones in the 1990s, and for continuing progress toward regional reconciliation.

Of continuing concern is the Secretary-General's assessment that tensions persist between receiving communities and returnees. The United Kingdom has long supported the work of the United Nations and the Government of Kosovo to ensure that returnees feel able to go home. Over the past several years my Government has given more than $3 million to support the work on returns.

Finally, as Foreign Secretary Hague and Foreign Minister Westerwelle said on 8 August, the countries of the Western Balkans have made good progress towards democracy and neighbourly relations in the 17 years since the break-up of the former Yugoslavia. War crime suspects have been delivered to face international justice. Croatia has been invited to join the European Union. Since we last met, the number of countries which recognize Kosovo as an independent State has risen to 81. This shows that Kosovo's progress as a viable independent States is irreversible.

Kosovo's future belongs in the European Union, along with Serbia and its other neighbours in the Western Balkan. The United Kingdom underlines once more its commitment to work tirelessly towards that goal.

Mr. Salam (Lebanon) (*spoke in Arabic*): I wish to thank Mr. Farid Zarif for his briefing and to welcome the Minister for Foreign Affairs of Serbia, Mr. Vuk Jeremić, and to thank him for his statement. I also thank Mr. Enver Hoxhaj for his statement.

We wish to confirm our support for the United Nations Interim Administration Mission in Kosovo (UNMIK) in its efforts to promote reconciliation, security and human rights. We pay tribute to UNMIK for its role on several fronts, including missing persons and the protection of cultural and religious heritage. We call on the parties to provide the necessary support to UNMIK so as to enable it to implement its mandate. We believe that coordination between UNMIK, the

European Union Rule of Law Mission (EULEX) and the Kosovo Force should continue within the status-neutral framework referred to in resolution 1244 (1999).

It is encouraging that progress has been achieved in the dialogue between Belgrade and Pristina. That has lead to progress on many issues that facilitate the daily lives of the people of Kosovo, including civil registry, freedom of movement and academic diplomas. We are hopeful that this will lay the foundations for the resolution of all outstanding issues in an open and constructive spirit. We also hope that the two parties will make efforts to achieve genuine reconciliation between communities and thereby enhance long-term peace and security.

We believe that the current situation is very delicate as it paves the way for future steps. Any unilateral actions that exacerbate the situation on the ground will impact dialogue and trust between parties, not to mention the legal implications. We view the incidents that took place on 25 and 26 July from this perspective. We urge both parties to refrain in future from unilateral action or from resort to violence. We urge them to contain any escalation of tension via dialogue.

When it comes to security, we are satisfied at the relative calm that prevailed in most of the region during the reporting period. We share the Secretary-General's concern regarding the increased tension in northern Kosovo and his assessment that delicate issues can be resolved only through peaceful means and consultations among local communities. We call on all stakeholders in northern Kosovo to play a constructive role in finding solutions to delicate issues, as this is very important for the political and security environment.

Moreover, we believe that the current efforts to shed light on the fate of missing persons are very important despite the slow progress in this respect. We pay tribute to UNMIK, EULEX and the International Committee of the Red Cross for their efforts in this area.

Finally, with regard to allegations of inhumane treatment and the alleged trafficking of human organs in Kosovo in 1999, we hope that every effort will be made to uncover the truth, hold the perpetrators accountable and promote justice, reconciliation and lasting peace.

Mr. Li Baodong (China) (*spoke in Chinese*): I would like to thank the Acting Special Representative of the Secretary-General, Mr. Farid Zarif, for his briefing. I welcome the presence of the Minister for Foreign Affairs of Serbia, Mr. Jeremić, at today's meeting. I listened very attentively to the statement by Mr. Hoxhaj.

Recently, the situation in Kosovo has generally remained stable, yet it is still sensitive and fragile. The situation in northern Kosovo where ethnic minorities live is particularly complex.

China is gravely concerned at the recent tension in northern Kosovo. We are of the view that the parties concerned should exercise caution and resolve their differences through dialogue and negotiations and should refrain from taking any unilateral action that could change the current status of the region and escalate the present situation.

The question of Kosovo has a direct bearing on peace and stability in the Balkans and Europe at large. China believes that the sovereignty and territorial integrity of Serbia should be respected. Security Council resolution 1244 (1999) serves as the important legal basis for resolving the question of Kosovo. The question of Kosovo should be settled in the framework of relevant resolutions and through peaceful means such as dialogue, consultations and negotiations among the parties concerned.

China is encouraged by the recent progress made during the dialogue between Serbia and Kosovo. We urge both parties to keep up the momentum and endeavour to find a mutually acceptable solution at an early date.

China commends the United Nations Interim Administration Mission in Kosovo for its efforts to carry out its mandate under difficult circumstances, and we support the Mission's continuing contribution to maintaining regional peace and stability. We hope that the relevant regional organizations will continue to play a positive and constructive role in properly addressing the question of Kosovo.

China is deeply concerned at the illicit trafficking in human organs in Kosovo. No action in violation of international law and international humanitarian standards can be tolerated. Serbia's concern at such cases is fully justified. We support calls for the United Nations to conduct investigation into these cases.

Mr. Onowu (Nigeria): I join others in thanking His Excellency Mr. Vuk Jeremić, Minister for Foreign Affairs of Serbia, for sharing his perspectives with us. I thank Mr. Enver Hoxhaj for his statement. I would also like to thank the Acting Special Representative of the Secretary-General, Mr. Farid Zarif, for his update on the situation in Kosovo.

It is satisfying to note the return to normalcy in northern Kosovo following last month's incident. We urge the parties to continue to maintain the momentum in order to guard against a relapse into violence. They should also engage just as seriously in promoting reconciliation and the peaceful settlement of pending issues through the time-tested principles of compromise and mutual respect.

While the report of the Secretary-General (S/2010/514) indicates that the overall security situation in Kosovo is stable, it remains in a fragile balance. Incidents of attacks against minority communities and international personnel and the underlying tensions in northern Kosovo are indicative of the challenges in the territory. Of particular concern is the need to address insecurity and other outstanding challenges bedevilling northern Kosovo. Concrete and concerted action is required to strengthen law enforcement and encourage broad-based consultations towards promoting social cohesion and reconciliation among the communities.

We commend the efforts of the United Nations Interim Administration Mission in Kosovo (UNMIK) to facilitate dialogue and cordial relations among the communities. We appreciate the collaboration among UNMIK, the European Union Rule of Law Mission in Kosovo (EULEX) and other actors in fostering cooperation and peace in Kosovo and the region in general. Finding sustainable and far-reaching solutions to issues of common concern to the communities and between the parties will go a long way towards fostering lasting peace and stability in Kosovo and the region.

We therefore urge regional and international actors to work in concert and to intensify their efforts to reach a durable solution to the problems in Kosovo. We further urge the parties not to allow the misgivings over last month's incidents to impede the European Union-facilitated talks. Both parties have hitherto to engage constructively in those talks. We commend them on the results achieved thus far, and urge them to stay committed to the process. It is only proper that the international community step up efforts to preserve the gains in those talks.

In that connection, we urge the European Union, UNMIK and other international actors to continue to provide the necessary support to the talks. We also underline the importance of ensuring that all local stakeholders are involved in the process.

On the issue of returns, it is essential to sustain efforts to promote voluntary returns, as well as the conditions necessary for those returns. In that context, we support the proposal to include benefits for the receiving communities in returns projects. The sustained outreach activities of UNMIK, as well as the support of the Office of the United Nations High Commissioner for Refugees and of the international community, are needed to underpin such efforts.

Nigeria notes the intention of EULEX to commence investigations into the allegations of trafficking in human organs. We underline the importance of ensuring that the views and concerns of all stakeholders are adequately accommodated. That will ensure that the final outcome of the investigations enjoy the broadest possible support.

In concluding, we pay special tribute to the work of the former Special Representative of the Secretary-General, Mr. Lamberto Zannier.

Mrs. DiCarlo (United States of America): I would like to welcome Foreign Ministers Hoxhaj and Jeremić back to the Council. I would also like to welcome Acting Special Representative of the Secretary-General Farid Zarif to the Council and to thank him for his briefing. Let me take a moment to express our gratitude and appreciation for former Special Representative Lamberto's service to the United Nations and leadership of the United Nations Interim Administration Mission in Kosovo (UNMIK). We wish him continued success during his term as Secretary-General of the Organization for Security and Cooperation in Europe.

I would like to make four points today. First, following the recent events and violence in northern Kosovo, we welcome the common understanding reached between the leaders of Kosovo and Serbia with the goal of reducing further tensions. We expect both sides to peacefully and fully adhere to the understanding and scrupulously respect it. We

commend the Kosovo Force for facilitating the process leading to the common understanding and for working to maintain a safe and secure environment and freedom of movement, in accordance with its mandate pursuant to resolution 1244 (1999).

As an independent and sovereign State, Kosovo has the right to extend its authority and enforce the rule of law throughout its territory, and to ensure a unified police chain of command. Strengthening the rule of law, including in Kosovo's North, is critical to Kosovo's development as a European State, fundamental to ensuring the welfare and security of all Kosovo's citizens, regardless of ethnicity or location, and in the interest of its neighbours and the entire region. We remain deeply concerned by the engagement of Serbian Interior Ministry police in northern Kosovo, in direct violation of Kosovo's sovereignty and in breach of resolution 1244 (1999), which demands the withdrawal of such military police and military forces.

Secondly, I would like to point out that the European Union-facilitated dialogue between Kosovo and Serbia is already bearing fruit. Indeed, as a result of agreements reached thus far, travellers should find it easier to move throughout the region, students have clearer prospects of having the records of their academic achievements accepted in neighbouring countries, and ordinary citizens will have access to more accurate civil registry records, thereby strengthening the rule of law.

We support the intention of Belgrade and Pristina to continue the European Union (EU) dialogue in September, and remain hopeful that they can arrive at an arrangement of positive reciprocity at the border, through which people and goods can move freely in both directions. We call on both sides, in line with their European aspirations and the economic interests of the greater region, to resolve that impasse and to end their respective trade restrictions. It is unfortunate that the Government of Kosovo felt forced to impose reciprocal trade restrictions on Serbia. At the same time, we have to recognize the truth, which is that Serbia imposed a similar embargo on goods from Kosovo more than three years ago.

The EU-facilitated dialogue is not about Kosovo's status. Kosovo is a sovereign and independent country. Neither partition nor territorial adjustments are on the table, and such suggestions only sow fear and undermine stability in the region. The dialogue is about realizing both Kosovo's and Serbia's European futures. Both benefit from each other's progress on the path towards full European integration.

Thirdly, we welcome the progress made by the European Union Rule of Law Mission in Kosovo (EULEX) in securing the necessary personnel, facilities and equipment for its Task Force, dedicated to conducting a thorough and transparent investigation into the allegations contained in Special Rapporteur Marty's report to the Council of Europe. The United States has offered its support to the EU Task Force, and we welcome the appointment of a lead prosecutor.

The Secretary-General's report notes the positive cooperation that EULEX is already enjoying from the Albanian authorities on that and other cases. We fully expect the Task Force, throughout its investigation, to continue to enjoy the full cooperation of all local authorities in the region. We fully support EULEX in leading an investigation into the substance of the report on the basis of relevant evidence or sources. Kosovo law and EU joint action on EULEX explicitly provide that EULEX can investigate and prosecute serious crimes, such as those alleged in the report, and do so independently. As demonstrated by the Geci case detailed in the EULEX addendum (see S/2011/514, annex), EULEX already has the jurisdiction and ability to investigate and prosecute crimes committed outside Kosovo as well.

The assertion that all investigations into war crimes in the ex-Yugoslav realm have taken place under Security Council auspices is not correct. There have been and remain today many cases in domestic courts in the region. Such an approach is intrinsic to the completion strategy of the International Criminal Tribunal for the Former Yugoslavia.

Lastly, I would like to underscore again that the United States remains committed to a stable, prosperous, multi-ethnic and democratic Kosovo that is at peace with all its neighbours. We welcome the continued progress in the region to grapple with the difficult legacy of the 1990s. The renewed sessions of the Working Group on Missing Persons after nearly a year's hiatus give hope for resolving that difficult legacy. We also welcome the progress achieved by local authorities in reintegrating both voluntary and forced returnees into Kosovo society.

Eighty-one countries share our vision for the region and have recognized Kosovo. We once again call on the remaining countries to contribute to stability in the region by welcoming Kosovo into the international community through formal recognition.

Mrs. Dunlop (Brazil): I welcome His Excellency Mr. Jeremić, Minister for Foreign Affairs of the Republic of Serbia, and thank him for his statement. I also thank the Secretary-General for his report (S/2011/514). I would like to express our appreciation to Acting Special Representative of the Secretary-General Farid Zarif for his briefing and to Mr. Hoxhaj for his remarks.

Brazil also takes this opportunity to convey our gratitude to Mr. Lamberto Zannier for his competent work as Special Representative for Kosovo and wish him success in his new activities.

We are pleased with the intensification of the discussions between Belgrade and Pristina and their willingness to bring about concrete results. Progress in the areas of civil registry, freedom of movement and academic certification, among others, is commendable and can provide tangible improvements to the daily lives of the population in Kosovo. These agreements have the potential to pave the way for the discussion of outstanding political issues that need to be addressed. Dialogue is the only way to create peace, security and stability in the region.

Notwithstanding these positive developments, we are concerned about the increasing tension in northern Kosovo. All stakeholders must be extremely careful at this stage to avoid any unnecessary aggravation of the situation. We are also worried about the increase in the number of incidents involving minority communities and international personnel throughout the region. The relevant authorities must do everything in their power to discourage these actions.

Regarding humanitarian and human rights issues, we welcome the resumption of the activities of the Working Group on Missing Persons on an issue that is so important to the local population. On the other hand, we share the Secretary-General's concern over the low number of voluntary returns to the region, despite efforts in that regard.

Brazil remains concerned about the allegations of inhuman treatment of people and illicit trafficking in human organs in Kosovo. We are encouraged by the willingness of the parties to cooperate in the investigation of these cases, which must be subject to independent and credible scrutiny. In that regard, we remain open to the possibility of exploring options that take into account the need to involve various jurisdictions and the importance of ensuring consistency with resolution 1244 (1999).

Brazil reaffirms its belief that resolution 1244 (1999) offers the appropriate framework for a negotiated settlement that can address tensions in the region. We are confident that a fair and legitimate solution can be reached under the auspices of the Security Council through the support of the United Nations Interim Administration Mission in Kosovo (UNMIK) and regional organizations. The work of UNMIK is crucial to the stability of the region. The Mission must have complete safety to carry out its important functions.

The Council should continue to keep political developments in Kosovo under close review and encourage further dialogue between Belgrade and Pristina. The long-term benefits of this dialogue must be made evident to all stakeholders, regardless of discussions on yet unresolved political issues.

Mr. Sangqu (South Africa): South Africa would like to take this opportunity to welcome the Acting Special Representative of the Secretary-General, Mr. Farid Zarif, to the Council. He can be assured of our support. We also wish to pay tribute to former Special Representative of the Secretary-General Zannier for his contribution to the United Nations Interim Administration Mission in Kosovo (UNMIK).

We again welcome Foreign Minister Jeremić to the Council and thank him for his statement. We also welcome Mr. Hoxhaj and thank him for his statement.

My delegation reiterates its conviction that resolution 1244 (1999) remains in force and forms the basis for resolving the situation in Kosovo. UNMIK's role is to promote security and stability in Kosovo, and it should be allowed to fully implement its mandate as authorized by the Council. Further, it is essential that the international presence in Kosovo maintain its status-neutral posture in the execution of its mandates, in line with the presidential statement (S/PRST/2008/44) adopted in November 2008.

South Africa supports the dialogue process between the two sides, as mandated by the General

Assembly. Moreover, we believe that this regular contact between the parties is an important confidence-building measure that will, hopefully, improve trust and allow the parties to address the outstanding contentious issues. In this regard, we note from the Secretary-General's report (S/2011/514) that agreements have been reached on political measures aimed at improving the lives of the ordinary people of Serbia and Kosovo in the areas of freedom of movement, civil registry, academic diplomas and other practical matters, as acknowledged by the representatives of both parties here today. Although the dialogue has been suspended until September, we urge the parties to engage constructively with the aim of resolving all outstanding matters and promoting reconciliation once the dialogue resumes.

However, the achievement attained in the dialogue process could be undermined by negative developments on the ground. In this regard, we are concerned about the developments of 25 July in northern Kosovo, which have led to a deterioration in the already tense security situation in that area. Unilateral actions by Pristina will jeopardize the advances made by the parties in the dialogue process and ultimately make reconciliation more difficult to achieve.

The international presence in Kosovo is mandated by this Council to facilitate peace and reconciliation. Therefore, any action by either side aimed against either UNMIK, the European Union Rule of Law Mission in Kosovo (EULEX) or the Kosovo Force is unacceptable. We support the Secretary-General's calls on Pristina and the authorities in Mitrovica to demonstrate full respect for the international presence and to provide reassurances that the inviolability of UNMIK's premises will be protected and observed.

In this Council's previous debates on UNMIK in February (S/PV.6483) and May (S/PV.6534), we stated that the limited progress towards reconciliation between the communities in Belgrade and Pristina could also be undone by the allegation of human organ smuggling. We reiterate our position that a credible, thorough, impartial and independent inquiry into these allegations should be conducted as quickly as possible. South Africa believes that there should be no impunity for grave violations of human rights.

In this regard, we have noted the statement issued by EULEX that it has the capacity, expertise and jurisdiction to handle the investigations, and indeed that it has assumed responsibility for them. We have also noted the creation of the EULEX special Task Force. South Africa wishes to encourage EULEX to provide regular reports to the Council on the progress of these investigations.

In conclusion, sustainable peace, stability and development in the region are best served by reconciliation between Belgrade and Pristina. Dialogue is the only way to find a viable and long-term solution to the situation on the ground and for the region to move forward in its socio-economic development and regional integration. South Africa stands ready to work in the Council with these partners in support of that process.

The President: I shall now make a statement in my national capacity.

I should like to join others in thanking Acting Special Representative of the Secretary-General Farid Zarif for his comprehensive briefing on the situation in Kosovo and the activities of the United Nations Interim Administration Mission in Kosovo (UNMIK).

I also want to thank His Excellency Mr. Vuk Jeremić, Foreign Minister of the Republic of Serbia, for his statement. We have also carefully listened to the statement of Mr. Enver Hoxhaj.

The Secretary-General's report on UNMIK (S/2011/514) has brought out in detail the ground situation in Kosovo. We are happy to note that UNMIK is pursuing its mandated priorities to promote security, stability and respect for human rights in Kosovo and the region, while continuing to provide transitional administration to Kosovo, as mandated by resolution 1244 (1999). In furtherance of these objectives, it has actively engaged with Pristina and Belgrade, the communities in Kosovo and regional and international actors.

We also note with satisfaction that the Organization for Security and Cooperation in Europe, the Kosovo Force and the European Union Rule of Law Mission in Kosovo (EULEX) have continued to perform their important roles within the framework of resolution 1244 (1999), and to cooperate and coordinate with UNMIK. We hope that the resumption of talks between Belgrade and Pristina, scheduled for next months in Brussels, will build the necessary trust and confidence between the two sides.

India has always believed that the Kosovo issue should be resolved peacefully through consultation and dialogue between the concerned parties. We agree with the Secretary-General's view that this dialogue process has the potential to bridge the differences between the two sides and resolve a series of longstanding issues that affect the lives of people on the ground. We urge both parties to show flexibility, understanding and creativity in order to achieve tangible results. The positive engagement of both sides in the formal and informal dialogue processes could pave the way for further progress in their relations. In that connection, we appreciate and support UNMIK's continued role in facilitating that dialogue process, and urge the parties to cooperate fully with it.

We also support UNMIK's efforts to facilitate the work of the Reconstruction Implementation Commission and the Working Group on Missing Persons. The continued voluntary return of refugees recorded by the Office of the United Nations High Commissioner for Refugees is heartening. The number of voluntary returns has, however, remained very low, and appropriate solutions must be found to address the persisting tensions between receiving communities and returnees, as well as the successful integration of all the returning communities.

We are concerned about the recurrence of threats to the premises of the UNMIK office in Mitrovica and the growing number of incidents affecting international personnel and assets, including the growing tensions and recent border incidents in northern Kosovo. We call on the parties to resolve sensitive issues through peaceful means on the basis of consultations and engagement with all communities, avoiding any unilateral action.

We have noted with concern the Secretary-General's view that the Kosovo authorities remain fundamentally sceptical about UNMIK's facilitation of their engagement in international and regional initiatives. We hope that they will not seek to undermine UNMIK's role, mandated by the Security Council, and will instead cooperate fully with UNMIK and other United Nations and European Union institutions. In this connection, we deeply regret the Council's failure to adopt a presidential statement on recent developments in Kosovo.

While we welcome the efforts made by EULEX to investigate allegations of inhuman treatment of people and illicit trafficking in human organs in Kosovo, we have noted Serbia's continued interest in the role of the Security Council in this investigation. We continue to support the proposal for the creation of a mechanism that enjoys the support and confidence of all stakeholders.

In conclusion, let me reiterate India's consistent position that all issues concerning Kosovo should be resolved peacefully through consultation and dialogue between the concerned parties, without resort to destabilizing unilateral action. Only in this way can the aspirations of all the peoples concerned be met and lasting peace and stability established in the region.

I now resume my functions as President of the Security Council.

There are no further speakers inscribed on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 12.30 p.m.